IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 18899 of 2007(S)

OP.154/2007 of FAMILY COURT,THRISSUR
.....

PETITIONER:

C.C.RADHA, W/O LATE V.A.SHANMUGHAN,
'SHINE', VALAPPADU, VANIKKAL HOUSE,
KOORKANCHERI P.O., THRISSUR.

BY ADV. SMT.P.K.RADHIKA

RESPONDENTS:
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1. **VIDHYA, D/O K.K.VISWAMBARAM,**
   KAINOOR HOUSE, KANIMANGALAM, THRISSUR.

2. **NIJU, C/O THYAGARAJAN V.A.,**
   VENNIKKAL HOUSE, FRIENDS NAGAR,
   PANAMUKKU, NEDUPUZHA, THRISSUR.

BY ADV. SRI.A.C.DEVY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.18899 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE HOSPITAL RECORD

EXT.P2:- COPY OF THE SALE DEED.

EXT.P3:- COPY OF THE INJUNCTION ORDER DT. 1.2.2007.

EXT.P4:- COPY OF THE DIVORCE PETITION.

EXT.P5:- COPY OF THE COMPLAINT TO SUB INSPECTOR OF POLICE , THRISSUR.

EXT.P6:- COPY OF THE JUDGMENT IN WP(C) NO.13309/07.

EXT.P7:- COPY OF THE INJUNCTION ORDER.

/TRUE COPY/

tss

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR,JJ.

W.P(C)No.18899 of 2007

Dated this the 3rd day of July, 2007

JUDGMENT

Kurian Joseph,J.

This writ petition is filed aggrieved by Ext.P7 order passed by the Family Court, Thrissur, in I.A.No.372/2007 in O.P.No.154/2007. As per the impugned order the Family Court directed the parties to maintain status quo with regard to the residence of the first respondent who is the daughter-in-law of the petitioner. The 2nd respondent is the son of the petitioner and husband of the first respondent. Though the petitioner has made several submissions including the submission centering round the decision of the Supreme Court in S.R.Batra v. Taruna Batra, (2007) 3 SCC 169, and learned counsel for the first respondent has also made equally forceful submissions regarding the entitlement for the present residence, we do not think that it is necessary for this court at this stage to go into all those contentions since the interlocutory application has not so far been finally disposed of by the Family Court.

Accordingly we dispose of the writ petition directing the Family Court, Thrissur to pass final orders in the interlocutory application after hearing both parties and adverting to their contentions. Orders as above shall be passed in the application within a period of three months from the date of receipt of a copy of this judgment. The arrangement pursuant to Ext.P7 will continue till such time.

(KURIAN JOSEPH, JUDGE)

(T.R.RAMACHANDRAN NAIR, JUDGE)

ahg.